

REMARKS

The Final Office Action of May 21, 2010 has been carefully reviewed. Applicants respectfully request the Examiner to reconsider the rejections and allow the pending claims in view of the following remarks.

I. Asserted Anticipation

The Final Office Action of May 21, 2010 (the Office Action) rejected claims 1, 3-11, and 19-28 as anticipated by Gbadegesin (U.S. Patent Application Publication 20030065676). This rejection is respectfully traversed.

Applicants first address claim 1. For convenience, claim 1 is reproduced below:

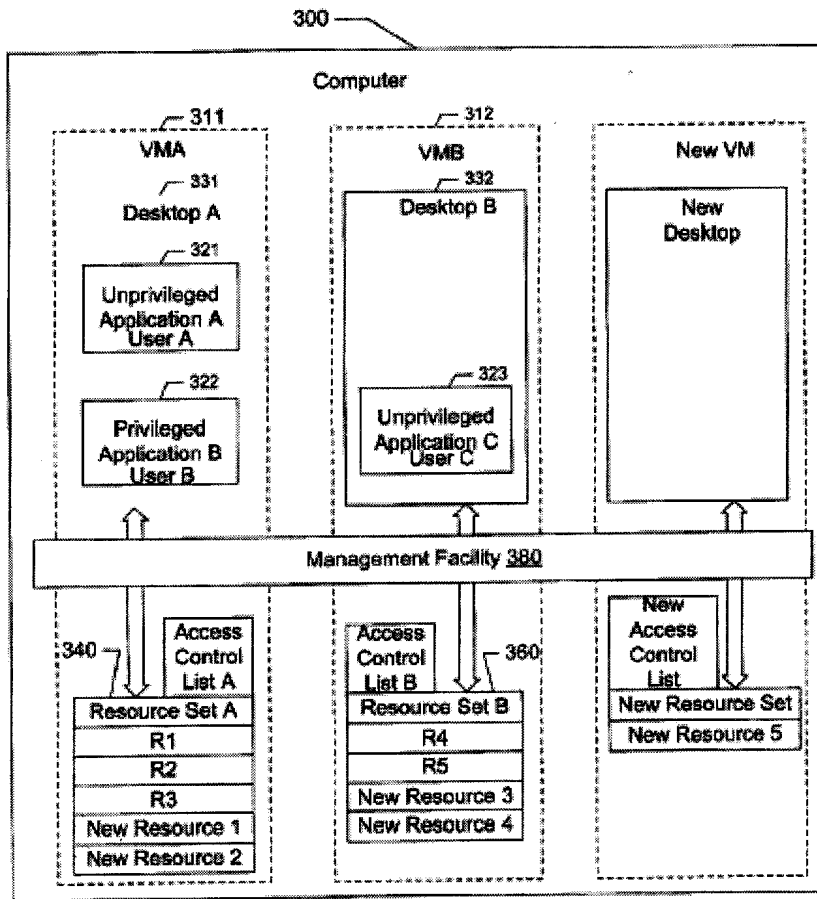
1. (Previously Presented) A wireless mobile communication device, comprising:
 - at least one memory storing a first domain comprising a first set of assets each sharing a first level of trust, and the at least one memory storing a second domain comprising a second set of assets each sharing a second level of trust, wherein the first level of trust is different than the second level of trust; and
 - a domain controller configured to control the first domain and the second domain, and further configured to control access to the first set of assets and the second set of assets;
 - wherein the domain controller is further configured to receive a request to perform an operation affecting a particular asset in the first set of assets and to determine whether the request originated from a first entity that has a first trust relationship with the first domain; and
 - wherein the domain controller is further configured to permit completion of the operation affecting the particular asset only if the request originated from the first entity, and wherein the domain controller is further configured to permit the first entity to perform operations with respect to each of the first set of assets.

Gbadegesin does not disclose several features of claim 1. For example, Gbadegesin does not disclose, "at least one memory storing a first domain comprising a first set of assets each sharing a first level of trust, and the at least one memory storing a

second domain comprising a second set of assets each sharing a second level of trust, wherein the first level of trust is different than the second level of trust.” Gbadegesin also does not disclose, “wherein the domain controller is further configured to receive a request to perform an operation affecting a particular asset in the first set of assets and to determine whether the request originated from a first entity that has a first trust relationship with the first domain.” Still further, Gbadegesin does not disclose, “wherein the domain controller is further configured to permit completion of the operation affecting the particular asset only if the request originated from the first entity.” Applicants address each of these features in detail, below.

Applicants first address the disclosures of Gbadegesin generally in order that the context of claim 1 may be understood in the light of Gbadegesin. Gbadegesin discloses a method for maintaining security in a network device in which a device might have concurrent connection to multiple networks. Gbadegesin, Abstract. In particular, Gbadegesin discloses a method for managing concurrent access to multiple resources when a device has access to multiple networks. *Id.*, paragraphs 4-7.

Gbadegesin addresses this issue by dividing resource sets of various devices into different virtual machines. Gbadegesin, Abstract, paragraph 8. A first access control list may be used to define whether a principal (an application or device) may access or create a resource in a resource set. Gbadegesin, paragraph 29. A second, system-wide, access control list may be used by a management facility to define for each principal whether a principal has permission to concurrently access resources in more than one resource set and to create new resource sets. Paragraphs 29, 32-34. Figure 3 of Gbadegesin is useful for a general understanding of these disclosures:



In Gbadegesin, the computer 300 is divided into three virtual machines, 311, 312, and the “new VM” (no reference numeral). Gbadegesin, paragraph 31. Resource set A 340 is placed in virtual machine 311. Resource set B is placed in virtual machine 312, and a new resource set is placed in the “new VM.” When the

management facility 380, which may be an operating system, receives a requested access operation, the management facility compares permissions with the two access control lists described above. Gbadegesin, paragraphs 33 and 34. If a requested operation results in concurrent access to resources in virtual machine 311 and virtual machine 312, and also such access is not allowed as specified in the access control lists, then the management facility 380 denies the requested operation. Gbadegesin, paragraphs 30 and 32-34.

However, these features are not equivalent to the features of claim 1 described above. Applicants first address the feature, “at least one memory storing a first domain comprising a first set of assets each sharing a first level of trust, and the at least one memory storing a second domain comprising a second set of assets each sharing a

second level of trust, wherein the first level of trust is different than the second level of trust.” In particular, Gbadegesin does not disclose the claimed domains, and Gbadegesin does not disclose that the assets in the domains share common levels of trust, as claimed.

The Office Action appears to equate the virtual machines 311 and 312 in Gbadegesin with the claimed domains. However, these features are not equivalent. A virtual machine has a particular meaning in the art; a virtual machine is a software implementation of a computer that executes programs like a physical machine. A domain, in contrast, is not a virtual machine because *a domain is not a software implementation of a computer*. The meanings of these words are distinct to those of ordinary skill in the art. Thus, Gbadegesin does not disclose this feature of claim 1.

Additionally, the Office Action appears to equate the resources in the sets of Gbadegesin as sharing a level of trust, as claimed. However, the sets of resources in Gbadegesin do not share a level of trust, but rather only share common properties with regard to whether the resources in a set should be concurrently accessed with resources in another set. In other words, no common *trust* is shared among of the resources within a set in Gbadegesin; instead, common *network properties* are shared. In Gbadegesin, a determination whether to exclude concurrent access to certain resources is made by the management facility in view of the access control lists, which change depending on the application accessing a particular resource. Therefore, there is no common level of trust among resources in a set in Gbadegesin, as claimed.

Applicants now address the fact that Gbadegesin does not disclose the claimed feature of, “wherein the domain controller is further configured to receive a request to perform an operation affecting a particular asset in the first set of assets and to determine

whether the request *originated* from a first entity that has a first trust relationship with the first domain.” Thus, claim 1 requires a determination whether the request *originated* from an entity that has the first trust relationship. Gbadegesin does not disclose this feature.

The Office Action asserts otherwise, citing the principal, and paragraphs 8 and 44 of Gbadegesin. The principal is an entity, such as a user or system process, that may be given permission to perform certain operations. Gbadegesin, paragraph 8. The principal is also disclosed as a logical entity that can make requests. Gbadegesin, paragraph 44.

However, no actual *determination* is made that the request *originated* from a principal. The Office Action also cites paragraph 23, Figure 4 (#450) and paragraph 35. Figure 4, step 450, is a determination in a flowchart of whether the principal has permission to access the resource set in the target virtual machine. However, determining whether the principal has permission to access the resource set is not the same as determining that the request *originated* from a principal, or from “a first entity that has a first trust relationship with the first domain,” as claimed.

Paragraph 35 of Gbadegesin describes the flowchart of Figure 4. Again, as can be seen in Figure 4 itself, Gbadegesin never discloses determining that the request originated from a principal, or from “a first entity that has a first trust relationship with the first domain,” as claimed.

Paragraph 23 of Gbadegesin discloses that application instances are assigned to virtual machines and are associated with a set of resources. Applications are divided into two types, privileged and unprivileged, with respect to whether an application is allowed concurrent access. However, again, no determination is ever made that a request *originated* from a principal, or from “a first entity that has a first trust relationship with the first domain,” as claimed.

Therefore, Gbadegesin does not disclose, “wherein the domain controller is further configured to receive a request to perform an operation affecting a particular asset in the first set of assets and to determine whether the request originated from a first entity that has a first trust relationship with the first domain,” as in claim 1. Accordingly, Gbadegesin does not anticipate claim 1.

Still further, the principal in Gbadegesin does not have a trust relationship with any given virtual machine; rather, the access control lists are simply used to determine whether a principal has permission to concurrently use any given sets of resources. Thus, Gbadegesin does not disclose that a “first entity that has first trust relationship with the first domain,” as in claim 1.

Stated differently, if the Office Action equates the virtual machines in Gbadegesin to domains in claim 1, then for Gbadegesin to read on claim 1 a principal in Gbadegesin would have to have a trust relationship with at least one virtual machine in Gbadegesin. However, the principals in Gbadegesin have no trust relationships with the virtual machines at all. Rather, access control lists simply state rules as to how principals can access resources within the virtual machines. Thus, again, Gbadegesin does not disclose a “first entity that has first trust relationship with the first domain,” as in claim 1. Accordingly, Gbadegesin does not anticipate claim 1.

Applicants now show the reason that Gbadegesin does not disclose the claimed feature of, “wherein the domain controller is further configured to permit completion of the operation affecting the particular asset only if the request originated from the first entity.” As shown above, Gbadegesin never actually discloses determining whether the request originated from a particular entity. Thus, Gbadegesin cannot be configured to permit completion of an operation only if the request originated from the first entity, as claimed.

The Office Action refers to paragraphs 30 and 34 as disclosing this feature.

Paragraph 30 discloses whether a principal has *permission* to access resources, and may permit or deny the principal access accordingly. However, in the cited text no determination is made of where the access request originated. Furthermore, the determination to allow or deny an “operation” is not based on whether the request originated from a given entity, as claimed. Thus, this portion of Gbadegesin does not disclose the claimed feature.

Paragraph 34 discloses that, if the access control lists do not allow a requested resource access operation to take place, the management facility denies the request. If the denial is based on a prohibition against concurrent access, the management facility may move the requesting application among virtual machines or create a new instance of the application. The management facility follows the rules provided in the access control list. However, Gbadegesin does not disclose determining whether the access operation request originated from a particular entity, and also does not disclose taking some action if the request originated from the particular entity. In other words, Gbadegesin never discloses permitting completion of the operation only if the request *originated* from the first entity, as claimed. As shown above, Gbadegesin does not disclose several features of claim 1. Therefore, Gbadegesin does not anticipate claim 1.

Independent claims 11 and 26 each contain at least some features similar to those described above. Thus, Gbadegesin does not anticipate the remaining independent claims. Gbadegesin does not anticipate the remaining dependent claims at least by virtue of their dependency on the independent claims.

II. Asserted Obviousness

The Office Action rejected claim 2 as obvious in view of Gbadegesin and Paatero (U.S. Patent Application Publication 2003/0163685). This rejection relies on the Office Action assertions regarding Gbadegesin. As shown above, Gbadegesin does not disclose numerous features of the independent claims.

Additionally, Paatero does not disclose domains or their use. Applicants respectfully submit that the memory 16 and tamper resistant memory 16', cited by the Office Action, cannot reasonably be considered "domains" in the manner previously or currently claimed. Additionally, no "common level of trust" is present in Paatero because only a single key is used to access the secured data.

Gbadegesin and Paatero, either alone or in combination, fail to disclose all the features of the independent claims. Accordingly, no *prima facie* obviousness rejection can be stated against claim 2 since dependent claim 2 includes all the features of independent claim 1.

CONCLUSION

The Applicants respectfully submit that the Application, in its present form, is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, the Examiner is encouraged to telephone the undersigned at (972) 731-2288. The Applicants intend this communication to be a complete response to the Final Office Action mailed May 21, 2010.

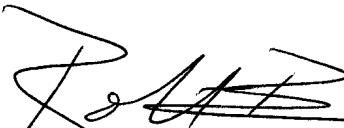
The Commissioner is hereby authorized to charge payment of any fee associated with any of the foregoing papers submitted herewith or any fees during the prosecution of the present case to Deposit Account No. 50-1515, Conley Rose, P.C.

Respectfully submitted,

CONLEY ROSE, P.C.

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